

IN THE MATTER OF: )  
 )  
Application of Duke Energy Corporation )  
And Progress Energy, Inc. on Behalf of )  
Their Electric Utility Subsidiaries Duke )  
Energy Carolinas, LLC and Progress Energy )  
Carolinas, Inc. to Engage in a Business )  
Combination Transaction )

The International Brotherhood of Electrical Workers (“IBEW”), by and through undersigned counsel, and pursuant to R.103-825 of the Commission’s rules and regulations, hereby petitions to intervene and be made a party of record in the above-captioned docket. In support of this Petition, the IBEW states as follows:

1. The IBEW is an unincorporated labor association with approximately 670,000 members. Of those, over 222,000 work in the public utility industry.
2. The IBEW is the largest utility industry labor organization in the United States, representing approximately 83% of all organized utility companies in the United States. Local unions of the IBEW represent employees of Duke Energy Corporation and/or its subsidiaries, including Duke Energy Carolinas, LLC (“Duke”), and employees of Progress Energy, Inc. and/or its subsidiaries (“Progress Energy”).

3. IBEW local unions represent approximately 3200 employees of Duke, each of whom will be directly impacted by the Commission's decision in this matter.

4. IBEW local unions represent approximately 2000 employees of Progress Energy, each of whom will be directly impacted by the Commission's decision in this matter.

5. If the petition is granted, the IBEW will be the only party in this case representing the interests of utility industry employees who will be directly affected by these proceedings.

6. No party to this proceeding adequately represents the interests of the IBEW and the men and women employed in the public utility industry who will be directly impacted by the Commission's decision in this matter.

7. Granting the IBEW's request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing its views and concerns can be developed.

8. The Petitioner is represented by the following counsel in this proceeding:

D. Peters Wilborn, Jr.  
Derfner, Altman & Wilborn  
P.O. Box 600  
Charleston, SC 29402  
(843) 723-9804  
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9. A pro hac vice motion will be filed shortly to include the following counsel as lead counsel for the Petitioner:

Jonathan D. Newman  
Sherman, Dunn, Cohen, Leifer & Yellig, P.C.  
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10. Petitioner requests that copies of all notices, pleadings, orders, correspondence, and other communications be directed and served upon Mr. Newman at the address above if and when a pro hac vice motion is granted.

WHEREFORE, Petitioner prays for the following relief:

- a. That this Petition to Intervene be accepted and that Petitioner be made a party of record;
- b. That Petitioner, IBEW, be allowed to participate fully in this proceeding and take positions as it deems advisable; and
- c. For such other and further relief as is just and proper.

s/Jonathan D. Newman

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Jonathan D. Newman (Pro Hac Vice Motion to follow)  
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s/D. Peters Wilborn, Jr.

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Attorneys for International Brotherhood of  
Electrical Workers

August 5, 2011

## **CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on August 8, 2011, he has caused the foregoing Petition to Intervene on Behalf of the International Brotherhood of Electrical Workers to be served by U.S. mail, regular mail, with sufficient postage affixed thereto and return address clearly marked on the following parties:

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s/Jonathan D. Newman

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